

UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
WESTERN DIVISION

IN RE:

Darryl Eugene Hamner
Cheryl Diana Hamner
DEBTORS.

CASE NO: 23-71034-JHH-13
CHAPTER 13

TRUSTEE'S MOTION TO MODIFY CHAPTER 13 PLAN

C. David Cottingham, Standing Chapter 13 Trustee, pursuant to 11U.S.C § 1329, moves the Court to modify the confirmed chapter 13 plan of the above-captioned debtor(s) as follows:

☐ On (*claim filed date*), (*Creditor*) filed Claim # (*claim #*) in the amount of (*claim amount*), said claim being a secured claim. Said creditor should be granted a fixed payment of \$ per month on (*claim #*).

☐ On (*claim filed date*), (*Creditor*) filed Claim # (*claim #*) in the amount of (*claim amount*), said claim being a secured claim. Said creditor's fixed payment should be modified to \$ per month on (*claim #*).

☐ It has been shown to the Court by (*Creditor*) that the current mortgage payments have changed. Said Creditor's fixed payment should be modified to \$ per month on (*claim #*) beginning (*effective date of change*).

☒ The Debtor's payments are insufficient to pay the claims filed and should be increased to \$1,244.00 biweekly.

WHEREFORE, C. David Cottingham, Standing Chapter 13 Trustee, moves that the Court enter an order granting the Motion and modifying the Plan on the terms of this Motion.

This the 17th day of September, 2024.

/s/ C. David Cottingham

C. David Cottingham, Standing Trustee
P. O. Drawer 020588
Tuscaloosa, AL 35402

Certificate of Service

This is to certify that I have this day served a copy of the above Motion upon the Attorney for the Debtors, and the Debtors, by mailing a copy of the same with adequate postage thereon or by electronic means when available:

DARRYL EUGENE and CHERYL DIANA HAMNER, 2815 COLONIAL DRIVE NE, TUSCALOOSA, AL 35404

THE LAW FIRM OF ERIC WILSON, LLC, 1902 8TH STREET, TUSCALOOSA, AL 35401

This the 17th day of September, 2024.

/s/ C. David Cottingham

C. David Cottingham, Standing Trustee
P. O. Drawer 020588
Tuscaloosa, AL 35402